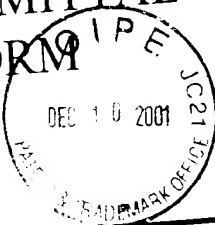


TRANSMITTAL FORM



Application Serial Number	09 872,338
Filing Date	June 1, 2001
First Named Inventor	Gardner
Group Art Unit	1645
Examiner Name	Not Yet Assigned
Attorney Docket No.	CEL-004
BATCH NO. (after allowance)	Not applicable
Patent No.	Not applicable
Issue Date	Not applicable

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ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Check Attached
☐ Copy of Fee Transmittal Form

☐ Amendment/Response

☐ Preliminary
☐ After Final
☐ Affidavits/declaration(s)
☐ Letter to Official Draftsperson including Drawings [Total Sheets ____]

☐ Petition for Extension of Time

☒ Information Disclosure Statement (2 pages)
☒ Form PTO-1449 (3 pages)
☒ Copies of IDS Citations (A1-A5, B1-B3 and C1-C32)

☐ Certified Copy of Priority Document(s)

☐ Sequence Listing submission
☐ Paper Copy/CD
☐ Computer Readable Copy
☐ Statement verifying identity of above

☐ Copy of Notice to File Missing Parts of Application (PTO-1553)

☐ Formal Drawing(s)

☐ Request For Continued Examination (RCE) Transmittal

☐ Power of Attorney (Revocation of Prior Powers)

☐ Terminal Disclaimer

☐ Executed Declaration and Power of Attorney for Utility or Design Patent Application

☐ Small Entity Statement

☐ CD(s) for large table or computer program

☐ Amendment After Allowance

☐ Request for Certificate of Correction
☐ Certificate of Correction (in duplicate)

☐ Notice of Appeal to Board of Patent Appeals and Interferences

☐ Appeal Brief (in triplicate)

☐ Status Inquiry

☒ Return Receipt Postcard

☒ Certificate of First Class Mailing under 37 C.F.R. 1.8

☐ Certificate of Facsimile Transmission under 37 C.F.R. 1.8

☐ Additional Enclosure(s) (please identify below)

CORRESPONDENCE ADDRESS

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 High Street Tower
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 Tel. No.: (617) 248-7000
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SIGNATURE BLOCK

Date: November 20, 2001
 Reg. No. 41,418
 Tel. No.: (617) 248-7240
 Fax No.: (617) 248-7100

Respectfully submitted,

Patrick R.H. Waller, Ph.D.
 Agent for Applicant(s)
 Testa, Hurwitz & Thibault, LLP
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 125 High Street
 Boston, MA 02110



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PATENT
Attorney Docket No. CEL-004 (7846 6)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Gardner et al.
SERIAL NO.: 09/872,338 GROUP NO.: 1645
FILING DATE: June 1, 2001 EXAMINER: Not Yet Assigned
TITLE: Multi-State Genetic Oscillator

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CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, Washington, DC 20231 on this 20th day of November, 2001.

Sharon Shaw

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith is/are:

1. Transmittal Form (1 page);
2. Information Disclosure Statement (2 pages);
3. PTO Form 1449 (3 pages) including copies of cited references A1-A5, B1-B3 and C1-C32; and
4. Return-receipt postcard.

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PATENT
Attorney Docket No. CEL-004 (7846/6)

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TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Gardner et al.
SERIAL NO.: 09/872,338 GROUP NO.: 1645
FILING DATE: June 6, 2001 EXAMINER: Not Yet Assigned
TITLE: Multi-State Genetic Oscillator

Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the patents and publications are enclosed.

Applicants believe that no fee is due at the time of submission of this paper. However, in the event that any fees are due, the Director is hereby authorized to charge any such fees to Attorney's Deposit Account No. 20-0531.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☒ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or

- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**. **AND**
- ☐ the requisite Statement is below. **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

STATEMENT

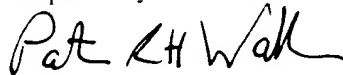
As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Date: November 20, 2001
Reg. No. 41,418

Tel. No.: (617) 248-7240
Fax No.: (617) 248-7100

Respectfully submitted,



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